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#15
m
10-21-02

APPLICANT: Robert C. Wohlsen et. al.
SERIAL NO: 09/351,723
FILING DATE: 7/12/99
TITLE: METHOD AND SYSTEM FOR IDENTIFYING A USER BY VOICE
GROUP ART UNIT: 2654
ATTY DOCKET NO: 1094
EXAMINER: Azad, A.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this preliminary amendment is being facsimile transmitted to the United States Patent and Trademark Office (fax number (703) 305-9508) on the date shown below

Date: October 8, 2002

Audrey Yang

THE HONORABLE COMMISSIONER OF PATENTS, WASHINGTON DC, 20231

PETITION UNDER 37 C.F.R. 1.59(B)

SIR:

Regarding the notice of appeal filed 9/30/02:

On September 30, 2002, Applicants' attorney
erroneously submitted via U.S. Mail a notice of appeal in
this case, that had actually been intended for application
serial number 09/425,748. The fact that it was submitted
5 in error is evident by the petition for extension of time
that was submitted with the notice of appeal, such
extension being improper in this case, but was proper in
the intended case. Applicants hereby petition for the
return of the papers for the notice of appeal filed
10 September 30, 2002 and the return of the fee associated
therewith. Applicants' attorney regrets any confusion this
may have caused. Applicants are submitting the fee under
37 C.F.R. 1.17(h).

Applicants' attorney has since filed the notice of
15 appeal in the other case, so no transfer of the papers
filed in this case is being requested.

Respectfully submitted,
October 9, 2002

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By:

Charles E. Gotlieb

Registration No. 38,164

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FACSIMILE TRANSMITTAL SHEET
October 9, 2002

To: Examiner Azad
Company: USPTO
Fax Number: (703) 305-9508
Subject: Petition
Reference: 09/351,723
Pages: 7 Including Cover

☐ CONFIRMATION COPY SENT BY MAIL

Notes/Comments:

Please rush to Examiner Azad.

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10/08/02 2:48 PM

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PTO/SB/21 (6-85) (modified)

Approved for use through 9/30/98, QMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

001/PTO Rev. 10/95		U.S. Department of Commerce Patent and Trademark Office		
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/351,723	
		Filing Date	7/12/99	
		First Named Inventor	Robert C. Wohlson	
		Group Art Unit	2654	
		Examiner Name	Azad, A.	
Total Number of Pages in This Submission		6	Attorney Docket Number	1094

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement/PTO-1449	<input checked="" type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Charles E. Gottlieb
Signature	
Date	October 9, 2002

Certificate of Facsimile Transmission

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Typed or printed name	Audrey Yang		
Signature		Date	October 9, 2002

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PTO/SB/47 (modified) (09/00)

Approved for use through 10/31/2002. OMB 0651-0032

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**FEE TRANSMITTAL
for FY 2002**TOTAL AMOUNT OF PAYMENT (\$)**130****Complete If Known**

Application Number	09/351,723
Filing Date	7/12/99
First Named Inventor	Robert C. Wohlsen
Examiner Name	Azad, A.
Group Art Unit	2654
Attorney Docket Number	1094

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

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Account
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07-1738

Charles E. Gottlieb

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17.
☐ Applicant Claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed

☐ Check ☒ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	140	201	370	Utility filing fee	
106	330	208	165	Design filing fee	
107	610	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	100	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
21 - 22 =			
Independent Claims	3 - 3 =		
Multiple Dependent			

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting a publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
119	1440	218	720	Extension for reply within fourth month	
128	1880	228	940	Extension for reply within fifth month	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1610	138	1610	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1280	241	640	Petition to revive - unintentional	
142	1280	242	640	Utility issue fee (or reissue)	
143	450	243	230	Design issue fee	
144	820	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
301	40	301	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(b))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130****SUBMITTED BY**Name (Print/Type) **Charles E. Gottlieb**

Registration No. (Attorney/Agent)

38,164

Telephone

650-328-0100

Signature

Charles E. Gottlieb

Date

10/9/2002

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PTO-2038(modified) (02-2000)

Approved for use through 01/31/2003. OMB U651-0043

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Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/351,723	Application No. 09/351,723	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 1094		Identify or Describe Mark	

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